



PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/022,666
Filing Date	12/17/2001
First Named Inventor	Andre Van Schyndel
Group Art Unit	2863
Examiner Name	Le, Toan M
Attorney Docket Number	103180-45246

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted  
i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).  
ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii.  Other \_\_\_\_\_

b.  Enclosed  
i.  Amendment/Reply  
ii.  Affidavit(s)/Declaration(s)  
iii.  Information Disclosure Statement (IDS)  
iv.  Other \_\_\_\_\_

## 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.  Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-3839  
i.  RCE fee required under 37 C.F.R. § 1.17(e) 01/27/2004 AWDNDAF1 00000027 10022666  
ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 770.00 0P  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ 770.00 enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Boris A. Matvenko	Registration No. (Attorney/Agent)	48,165
Signature		Date	01/22/2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Reginald Rogers
Signature	

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# FEE TRANSMITTAL

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00)

## Complete if Known

Application Number	10/022,666
Filing Date	December 17, 2001
First Named Inventor	Andre Van Schyndel
Examiner Name	Le, Toan M.
Art Unit	2863
Attorney Docket No.	103180-45246

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

03-3839

Gibbons, Del Deo, etc.

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
   
 Charge any additional fee(s) during the pendency of this application
   
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description	Fee Paid
1001	750	2001	375			Utility filing fee	
1002	330	2002	165			Design filing fee	
1003	520	2003	260			Plant filing fee	
1004	750	2004	375			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	
SUBTOTAL (1)		(\$ 0)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	18	-20** =	0	X	Fee from below	Fee Paid
Independent Claims	2	- 3** =	0	X		
Multiple Dependent						

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee Description
1202	18	2202	9		Claims in excess of 20
1201	84	2201	42		Independent claims in excess of 3
1203	280	2203	140		Multiple dependent claim, if not paid
1204	84	2204	42		** Reissue independent claims over original patent
1205	18	2205	9		** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)			

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	770.00
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) (d) Advance Copies					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 770.00)

## SUBMITTED BY

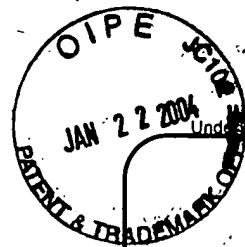
(Complete if applicable)

Name (Print/Type)	Boris A. Matveenko	Registration No. (Attorney/Agent)	48,165	Telephone	212-649-4700
Signature				Date	January 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)	Application Number	10/022,666	
	Filing Date	December 17, 2001	
	First Named Inventor	Andre Van Schyndel	
	Art Unit	2863	
	Examiner Name	Le, Toan M.	
Total Number of Pages in This Submission	11	Attorney Docket Number	103180-45246

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Request for Continued Examination Form Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Boris A. Matvenko, Reg. No.: 48,165; Gibbons, Del Deo, Dolan, Griffinger & Vecchione, PC
Signature	
Date	January 22, 2004

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Typed or printed	Reginald Rogers	
Signature		Date
	January 22, 2004	

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I hereby certify that, on the date indicated above I  
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Alexandria, VA 22313-1450  
by "Express Mail Post Office to Addressee" service.

Reginald Rogers  
Name (Print)

*Reginald Rogers*  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Andre Van Schyndel      Examiner: Le, Toan M.

Serial No.: 10/022,666      Group Art Unit: 2863

Filed: December 17, 2001      Confirmation No.: 1810

Attorney Docket No.: 103180-45246

Title: **POST DETECTION CHROMATIC DISPERSION COMPENSATION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.114**

Sir:

In response to the Final Office Action, dated October 22, 2003, the Applicant respectfully submits the following amendments and remarks as part of the Request for Continued Examination.

**Amendments** begin on page 2 of this Amendment and Response.

**Remarks** begin on page 6 of this Amendment and Response.